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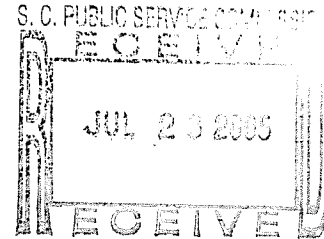
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PSC SC  
DOCKETING DEPT.  
TELEPHONE (803) 771-0555  
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SCOTT ELLIOTT

July 27, 2005



Mr. Charles Terreni  
Chief Clerk of the Commission  
SC Public Service Commission  
P. O. Drawer 11649  
Columbia, SC 29211

RE: Annual Review of Base Rates for Fuel Costs for Duke Power  
Docket No. 2005-3-E

7/29/05  
tea

Dear Mr. Terreni:

Enclosed please find for filing an original and one (1) copy of the South Carolina Energy Users Committee's Second set of Data Request together with a Certificate of Service in the above-captioned matter.

✓ I have enclosed an extra copy of these Data Request which I would ask you to date stamp and return to me in the self-addressed, stamped envelope provided for your convenience. By copy of this letter, I am serving all parties of record.

If you have any questions or I may provide you with any additional information, please do not hesitate to contact me. Thank you.

Sincerely Yours,

ELLIOTT & ELLIOTT, P.A.

Scott Elliott

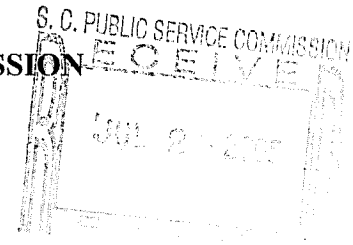
SE/jcl  
Enclosures

c: All parties of record (w/Encl.)

RECEIVED N/A  
SERVICE OK tea

**STATE OF SOUTH CAROLINA**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

**DOCKET NO. 2005-3-E**



|                                  |   |                           |
|----------------------------------|---|---------------------------|
| IN THE MATTER OF:                | ) |                           |
|                                  | ) |                           |
| Duke Power Annual Review of Base | ) | <b>SCEUC'S SECOND SET</b> |
| Rates of Fuel Costs              | ) | <b>OF DATA REQUESTS</b>   |
|                                  | ) | <b>TO DUKE POWER</b>      |

TO: DUKE POWER AND ITS ATTORNEY, LARA SIMMONS NICHOLS, ESQUIRE

In accordance with S.C. Code Ann. Regs. R.103-851, and R.103-854, Intervenor, the South Carolina Energy Users Committee ("SCEUC") requests the Applicant, Duke Power ("Duke") answer the following data request and requests that the information and documents requested below be provided within ten (10) days from the date of service, under oath, through the individual officers, managing agents, employees, members or representatives who are most knowledgeable with respect to the subject to which each respective interrogatory is addressed:

### INSTRUCTIONS

The Intervenor requests Duke to serve its responses upon the Intervenor's undersigned counsel not later than ten (10) days after the service hereof. The data requests are to be deemed to be of a continuing nature so as to require supplementation and amendment promptly, as necessary, in order to comport with facts and information that is known or available to you at the time of the initial responses of these interrogatories. With respect to the production of documents, the requested documents should be provided to the Intervenor by delivery to the undersigned at 721 Olive Street, Columbia, South Carolina 29205, or at such other locations as is

mutually agreeable to Duke and the Intervenor. The documents will be promptly returned after reproduction (if required).

If Duke claims a privilege as to any interrogatory or request for production, with respect thereto, set forth the following:

1. Who possess any requested document;
2. Who has reviewed any requested document;
3. The author, recipient and any copyholders of any requested documents;
4. The parties to any covered conversation, if it is a recording or transcript;
5. Who prepared the requested document;
6. The date of the requested document;
7. The type of document; and
8. The type of privilege asserted.

## **DEFINITIONS**

A. As used herein, the term "Document" is used in the broadest sense and includes, but is not limited to, any written, printed, recorded, typed or graphic matter, however produced or reproduced, including all non-identical copies thereof and further including, but not limited to, any books, ledgers, pamphlets, periodicals, brochures, letters, memoranda, advertisements, proposals, telegrams, telexes, reports, telephone logs, drafts, business records, handwritten notes, bill, checks, invoices, charts, graphs, indices, tapes, transcripts, data sheets, records of telephone calls, data processing cards, and electronically-stored data such as documents stored on network drives, hard drive, cd-rom optical disks, magnetic tape, 3.5 in and 5.25 inch floppy disks, electronic mail files, both current and deleted, and any other computer files of whatever type which are in Duke's possession, custody or control.

B. As used herein, the words “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and this request any documents which might otherwise be construed to be outside its scope.

C. Wherever applicable, the singular form of a word should be interpreted as plural.

D. As used herein, the word “you” or “your” means or refers to Duke, its agents, consultants, or any member, officer or other representative of Duke.

E. As used herein, the word “identify” means provision of dates, times, places, parties to any oral communication. With respect to any other communication, it means the date, length and medium of communication or document. With respect to any person(s), it means name, title, address and telephone number.

### **QUESTIONS**

SCEUC 2-1. Please provide a detailed list of all wholesale sales, other than to Schedule 10-A customers and other long-term (e.g. greater than 10 years) native load all-requirements customers, made by Duke during test year. Please include in this list the MWHs sold to the supplier, and the total cost paid by each supplier. Please specifically list whether any sale was made on a native load priority basis and please state whether the sale of power was based on incremental cost or system average costs. SCEUC does not need to know the names of the suppliers and would prefer that the purchasers be labeled as Buyer A, Buyer B, Buyer C, etc. Duke is also free to take whatever other confidentiality measures that it so desires with this request for information.

The following questions pertain to the testimony of Janice Hager

SCEUC 2-2. On a percentage basis, what is the industrial load growth, commercial load growth, residential load growth, and native-load all-requirements wholesale load growth in Duke's territory?

SCEUC 2-3 In regard to the purchased power testimony on p. 8 and p. 9, does Duke have a "trigger" where purchased power has to be selling relative to its own generation prior to purchasing such power? In other words, must the power on the open market be 5% or 10%, for illustration purposes only, below the cost that Duke itself can generate before the utility will pass on its own generation in favor of open market purchases? Please provide all documentation and internal memos citing this "trigger" point.

SCEUC 2-4. Please provide a copy of the published nuclear fuel spot market index as cited on p. 11, l. 13-14.

The following questions are not directed to any particular witness.

SCEUC 2-5. Please provide the natural gas forecast (\$ per dt) used in the current Duke fuel application.

SCEUC 2-6 Please provide the natural gas usage (dts) forecasted for each month of the test year.

SCEUC 2-7 Please provide Duke's forecasted average cost (\$ per ton) of its coal portfolio as of September 30, 2006; September 30, 2007; and September 30, 2008.

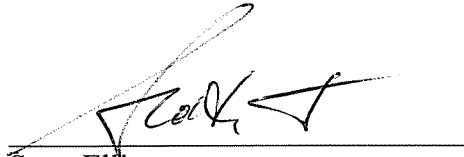
SCEUC 2-8 Does Duke have any coal contracts for periods in excess of the 2 to 3 year arrangements noted on p. 2, l. 22 of the testimony of M. Elliott Batson?

SCEUC 2-9 Please provide all allocation factors (e.g. must sum to 100%), alluded to on p. 3, l. 25, of the testimony of Dwight L. Jacobs.

SCEUC 2-10 Please provide Duke's forecasted nuclear fuel usage for each month of the test year as well as the forecasted nuclear fuel (\$ per pound) cost for each month.

SCEUC 2-11 Please provide Duke's forecasted coal usage (tons) for each month of the test year as well as the forecasted coal fuel cost (\$ per ton delivered) for each month.

Elliott & Elliott, P.A.

A handwritten signature in black ink, appearing to read 'Scott Elliott', is written over a horizontal line.

Scott Elliott  
721 Olive Street  
Columbia, SC 29205  
803-771-0555 Phone  
803-771-8010 Fax

ATTORNEY FOR SOUTH CAROLINA  
ENERGY USERS COMMITTEE

Columbia, South Carolina

July 27, 2005

## **CERTIFICATE OF SERVICE**

The undersigned employee of Elliott & Elliott, P.A. does hereby certify that (s)he has served below listed parties with a copy of the pleading(s) indicated below by mailing a copy of same to them in the United States mail, by regular mail, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

RE: Annual Review of Base Rates for Fuel Costs for Duke Power

DOCKET NO.: 2005-3-E

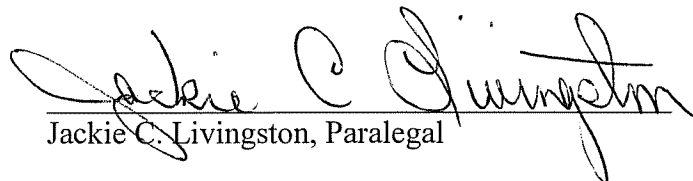
PARTIES SERVED: Florence P. Belser, Esquire  
ORS  
1441 Main Street, Ste. 300  
Columbia, SC 29201

Richard L. Whitt, Esquire  
Austin, Lewis & Rogers, P.A.  
508 Hampton Street  
Columbia, SC 29201

Lara Simmons Nichols  
Duke Power  
Law Department, PB05E  
P. O. Box 1244  
Charlotte, NC 28201

PLEADING: SECOND SET OF DATA REQUEST TO DUKE POWER

July 27, 2005

  
Jackie C. Livingston, Paralegal